

Marc Dann Declaration in Support of Motion for Class Certification

Exhibit 2

THE BILEK LAW FIRM, L.L.P.

ATTORNEYS AT LAW

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FIRM RESUME

The Bilek Law Firm, L.L.P. is dedicated to the vigorous prosecution of plaintiffs' lawsuits in state and federal courts across the nation. With over 33 years of experience, Thomas Bilek has taken a position as one of the top plaintiffs' trial lawyers in Texas and is sought by other law firms to serve as co- or lead counsel in cutting-edge securities fraud, consumer protection, environmental, and occupational injury cases throughout the United States. Combined with Kelly Bilek's more than 26 years of class action, trial, and appellate expertise, the Firm's commitment to aggressive yet cost-effective counsel has frequently resulted in successful outcomes for its clients.

Commercial Litigation cases:

- Successfully represented shareholders as co-liaison counsel in the main securities fraud class action against *Enron Corporation, et al.* Settlement in excess of \$7,200,000,000.00. (2008)
- Successfully represented plaintiffs as lead trial counsel in a federal nationwide securities class action against *Compaq Corporation*. Obtained a settlement in the amount of \$28,650,000.00. (2003)
- Successfully represented a class of plan participants for ERISA violations by their employer, *El Paso Corporation*. Obtained a settlement in the amount of \$17,000,000.00. (2008)
- Successfully represented an individual investor in state court actions against Deloitte Touche and the Adelphia outside directors arising out of the *Adelphia* securities fraud. Obtained confidential settlements for both cases. (2008)
- Successfully represented an individual investor in a state court action against Arthur Andersen relating to the sale of Sunbeam bonds. Obtained a confidential settlement. (2002)
- Successfully represented plaintiffs as liaison counsel for shareholders in a federal nationwide securities class action against *NCI Building Systems, Inc.* Obtained a settlement in the amount of \$7,000,000.00. (2004)
- Successfully represented plaintiffs in a federal nationwide securities class action against *Cooper Industries*. Obtained a settlement in the amount of \$6,850,000.00. (1999)
- Successfully represented Enron shareholders as class counsel in a nationwide class action filed in Texas state court arising out of the failed merger with *Dynegy*. Obtained a settlement in the amount of \$6,000,000.00. (2003)

- Successfully represented plaintiffs in a securities class action against *Mitcham Industries*. Obtained a settlement in the amount of \$2,700,000.00. (2002)
- Successfully represented a class of plan participants for ERISA violations by their employer, *RadioShack Corporation*. Obtained a settlement in the amount of \$2,400,000. (2011)
- Successfully represented plaintiffs in a federal nationwide securities class action against *A Pea in the Pod*. Obtained a settlement in the amount of \$2,150,000.00. (1997)
- Successfully represented a class of plan participants for ERISA violations by their employer, *Affiliated Computer Services, Inc.* Obtained a settlement in the amount of \$1,500,000.00. (2008)
- Successfully represented a statewide class of California residents in their claims against an automobile manufacturer. (2007)
- Successfully represented shareholders of *Crestwood Midstream Partners LP* in its merger with Crestwood Equity Partners LP. The action resulted in additional disclosures to shareholders regarding the merger. (2016)
- Successfully represented shareholders of *Multimedia Games Holding Company, Inc.* in its merger with Global Cash Access Holdings, Inc. The action resulted in additional disclosures to shareholders regarding the merger. (2015)
- Successfully represented shareholders of *QR Energy LP* in its sale to Breitburn Energy Partners LP. The action resulted in additional disclosures to shareholders regarding the merger. (2015)
- Successfully represented shareholders of *MetroCorp Bancshares, Inc.* in its merger with East West Bancorp, Inc. The action resulted in a reduced termination fee and additional disclosures to shareholders regarding the merger. (2014)
- Successfully represented shareholders of *Crestwood Midstream Partners LP* in its merger with Inergy Midstream, L.P. The action resulted in additional disclosures to shareholders regarding the merger. (2014)
- Successfully represented shareholders of *HealthTronics, Inc.* in its merger with Endo Pharmaceuticals Holdings, Inc. The action resulted in additional disclosures to shareholders regarding the merger. (2010)
- Appointed lead counsel by Texas state court in a nationwide suit on behalf of shareholders in a breach of fiduciary duty class action against the former officers and directors of *Pennzoil-Quaker State Company*. (2007)
- Successfully represented *Dynacq Healthcare, Inc.* shareholders in a derivative action which resulted in greater board oversight of management of the company's accounting practices. (2003)
- Successfully represented shareholders of DTM in its merger with 3D Systems. The action resulted in the reduction of certain anti-takeover provisions and additional disclosures to shareholders in connection with the merger. (2003)

- Established significant legal precedent in Texas by successfully arguing creditor's (Lomas Bank USA) privilege from suit to impose liability for false statements negligently made to credit reporting agencies. *Lomas Bank USA v. Flatow*, 880 SW2d 52 (Tex. App.-San Antonio 1994, writ denied).
- Successfully defended First USA Bank against \$27,000,000.00 claim involving the sale of various credit accounts. Case settled during trial for \$50,000.00. (1995)
- Obtained summary judgment in favor of First USA Bank in two separate class action lawsuits both alleging false credit collection practices in violation of the Fair Credit & Reporting Act. Plaintiffs claimed damages in excess of \$90,000,000.00. (1996)
- Successfully represented an employee in trial and appeal of wrongful termination action. Appellate decision was termed as "the most significant case in employment wrongful termination in Texas" during the 1990s. Case ultimately settled after affirmance by Texas Supreme Court. *Higginbotham v. Allwaste, Inc.*, 889 SW2d 411 (Tex. App.-Houston [14th Dist.] 1994, writ denied).

Environmental Litigation cases:

- Successfully represented plaintiffs in a class action regarding the Oil Spill by the Oil Rig "Deepwater Horizon" against *Halliburton Energy Services, Inc./Transocean, et al.* Settlement in excess of \$1,200,000,000. (2015)
- Successfully represented plaintiffs in a class action regarding the Oil Spill by the Oil Rig "Deepwater Horizon" against *BP, P.L.C., et al.* Served as a Committee Chair in the matter, which ultimately settled for \$7,800,000,000. (2012)
- Successfully represented Plaintiffs residing around a landfill in San Patricio County, Texas, whose property had been contaminated. Obtained total settlements of \$12,500,000.00 after obtaining a verdict in favor of certain Bellwether plaintiffs in an eight-week jury trial. (2001 and 2004)
- Successfully represented plaintiffs residing in an oilfield in Brookhaven, Mississippi, whose property had been contaminated. Obtained a confidential settlement after obtaining a verdict in favor of certain Bellwether plaintiffs in a seven-week jury trial. (2002)
- Successfully defended hazardous waste disposal facility against environmental claims stemming from the disposal of wastes at the MOTCO superfund site. Plaintiff sought \$27,000,000.00 solely from client for environmental clean-up costs. Retained to defend the action by Aetna, Hartford, Protective National, and National Automobile & Casualty. The action settled before trial for \$125,000.00. (1996)
- Represented apartment tenants in action for damages resulting from chlordane exposure. Case settled before trial for in excess of \$4,000,000.00. (1995)

BIOGRAPHIES

Partners:

Thomas E. Bilek, born Oakpark, Illinois, July 22, 1962; admitted to Texas bar, 1986. Admitted to practice before U.S. Supreme Court; U.S. Court of Appeals, Fifth Circuit; U.S. Claims Court; U.S. District Courts, Northern, Southern, Western, and Eastern Districts of Texas. Preparatory education: University of Texas (B.A. Economics, magna cum laude, Special Honors, 1983). Legal education: Southern Methodist University (J.D., 1986). Briefing Attorney to Chief Justice Brown, 14th Court of Appeals, 1986-87. Recipient, American Jurisprudence Awards, Real Property I and UCC Law, SOUTHWESTERN LAW JOURNAL, 1984-85. Author: "Accountant's Liability to Third Parties and Public Policy: A Calabresi Approach," 34 S.W.L.J. 689, 1985. Member: State Bar of Texas; Bar Association of the Fifth Federal Circuit; American Association for Justice. Life Member of Who's Who. Life Fellow of Texas Bar Foundation.

Kelly Cox Bilek, born Dallas, Texas, June 26, 1968; admitted to Texas Bar, 1993. Admitted to practice before U.S. Court of Appeals, Fifth Circuit, and U.S. District Courts, Northern, Southern, Eastern, and Western Districts of Texas. Preparatory education: Texas Christian University (B.A. History, PHI BETA KAPPA, magna cum laude, Departmental Honors, 1990). Legal education: The University of Texas School of Law (J.D., 1992). Research Assistant to Professor Jack Ratliff. Member, THE REVIEW OF LITIGATION and The Board of Advocates. Intern to Justice Raul A. Gonzalez, The Supreme Court of Texas. Member, The College of the State Bar of Texas.